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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: MCCLURKEN ET AL. Examiner: UNKNOWN
Serial No.: 10/813,736 Group Art Unit: 3732
Filed: MARCH 30, 2004 Docket: 13045.41USW1
Confirmation No.: 8083
Title: FLUID-ASSISTED MEDICAL DEVICES. SYSTEMS AND METHODS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: , Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 20, 2004.

By: Rebecca Ralls
Name: Rebecca Ralls

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Sir:

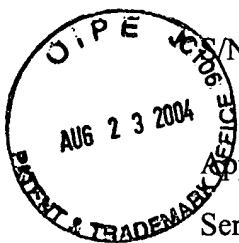
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 2 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: Mara E. Liepa
Name: Mara E. Liepa
Reg. No.: 40,066
MELIEPA:rlr



US/N 10/813,736

PATENT

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INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merits. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

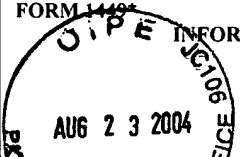
Respectfully submitted,

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(612) 371-5222

Date: Aug 20, 2004

By Mara E. Liepa
Mara E. Liepa
Reg. No. 40,066
MEL:rlr



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| FORM 1449  INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 13045.41USW1 | Application Number: 10/813,736 |
| | Applicant: MCCLURKEN ET AL. | |
| | Filing Date: 03/30/2004 | Group Art Unit: Unknown |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|--------------|------------|----------------------|-------|----------|----------------------------|
| EXAMINER INITIAL | DOCUMENT NO. | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
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| | 2004/0019350 | 01/29/04 | O'Brien et al. | | | |
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| EXAMINER | DATE CONSIDERED |
| EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant. | |

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| FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary) | Docket Number: 13045.41USW1 | Application Number: 10/813,736 |
| | Applicant: MCCLURKEN ET AL. | |
| | Filing Date: 03/30/2004 | Group Art Unit: Unknown |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
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| | DOCUMENT NO. | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
| | | | | | | YES | NO |
| | JP 57-117843 | 07/22/1982 | Japan | | | | X |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | | | | | | |
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